

10. JUN. 1998 14.00 MEMORANDUM 22210 22210

**COMBINED DECLARATION AND POWER OF ATTORNEY  
IN PATENT APPLICATION**

Attorney Docket No: MEWB112010

As a below-named inventor, I hereby declare that:

my residence, post office address and citizenship are as stated below next to my name;

I believe that I am the original, first and joint inventor of the subject matter that is claimed and for which patent is sought on the invention entitled: MATERIALS AND METHODS RELATING TO THE TRANSFER OF NUCLEIC ACID INTO QUIESCENT CELLS, the specification of which was filed as the U.S. National stage of International application No. PCT/GB96/02405 filed September 30, 1996, which has been assigned Serial No. 09/043,665, and was amended on March 24, 1998.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below, any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Number	Country	Day/Month/Year Filed	Priority Claimed Yes/No
9519776.0	Great Britain	September 28, 1995	yes

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below: NONE

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or PCT international application(s) designating the United States listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application: NONE


Serial No.	Filing Date	Status
PCT/GB96/02405	September 30, 1996	national phase


I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith: Bruce E. O'Connor, Reg. No. 24,849; Lee E. Johnson, Reg. No. 22,946; Gary S. Kindness, Reg. No. 22,178; James W. Anable, Reg. No. 26,827; James R. Uhler, Reg. No. 25,096; Jerald E. Nagae, Reg. No. 29,418; Dennis K. Shelton, Reg. No. 26,997; Jeffrey M. Sakoi, Reg. No. 32,059; Ward Brown, Reg. No. 28,400; Robert J. Carlson, Reg. No. 35,472; Marcia S. Kelbon, Reg. No. 34,358; Paul L. Gardner, Reg. No. 22,372; Shaukat A. Karjeker, Reg. No. 34,049; Rodney C. Tullett, Reg. No. 34,034; Chun M. Ng, Reg. No. 36,878; and the firm of Christensen O'Connor Johnson & Kindness<sup>PLLC</sup>. Address all telephone calls to Dennis K. Shelton at telephone No. (206) 224-0718.

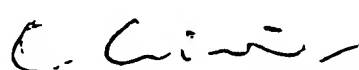
Address all correspondence to:

CHRISTENSEN O'CONNOR JOHNSON & KINDNESS<sup>PLLC</sup>  
 1420 Fifth Avenue  
 Suite 2800  
 Seattle, WA 98101-2347

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor	Citizenship
Stephen James Russell	British
Residence	
10 Courtyards, Little Shelford, Cambridge CB2 5ER, United Kingdom	
Post Office Address	
Same as above	
Inventor's Signature	Date
	10/6/98

Full Name of Inventor	Citizenship
Adele Kay Fielding	British
Residence	
37 Cambridge Road, Milton, Cambridge CB4 6AW, United Kingdom	
Post Office Address	
Same as above	
Inventor's Signature	Date
	10 June 1998

Full Name of Inventor	Citizenship
Colin Maurice Casimir	British
Residence	
3 Park Hall Road, East Finchley, London N2 9PT, United Kingdom	
Post Office Address	
Same as above	
Inventor's Signature	Date
	15 June 1998

DKS:dfi/ktk



FISH & RICHARDSON P.C., P.A.  
60 South Sixth Street  
Suite 3300  
Minneapolis, MN 55402

with full power of substitution and revocation, to prosecute the application and to transact all business in the United States Patent and Trademark Office connected therewith.

All correspondence regarding the application should be sent to:

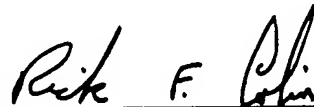
Mark S. Ellinger, Ph.D.  
Fish & Richardson P.C., P.A.  
60 South Sixth Street  
Suite 3300  
Minneapolis, MN 55402

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: \_\_\_\_\_

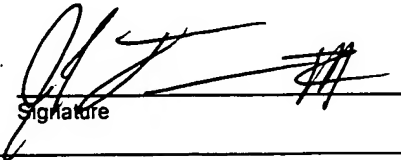
12/30/02



Title: Assistant Treasurer

Fish & Richardson P.C., P.A.  
60 South Sixth Street  
Suite 3300  
Minneapolis, MN 55402  
Telephone: (612) 335-5070  
Facsimile: (612) 288-9696

## RECORDATION FORM COVER SHEET PATENTS ONLY

Commissioner for Patents: Please record the attached original document(s) or copy(ies).	
1. Name of conveying party(ies): <b>BioFocus Discovery Limited</b> Additional name(s) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies): <b>Mayo Foundation for Medical Education and Research 200 First Street S.W. Rochester, MN 55905</b>  Additional names/addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other:  Execution Date: 03/01/2002	
4. Application number(s) or patent number(s): If this document is being filed with a new application, the execution date of the application is: A. Patent Application No(s).: 09/043,665 09/070,630 09/393,960 60/045,164 09/196,505 60/076,448 60/083,657 09/197,056  B. Patent No(s).: 6,270,761  Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5. Name/address of party to whom correspondence concerning document should be mailed:  <b>MARK S. ELLINGER, PH.D. Fish &amp; Richardson P.C., P.A. 60 South Sixth Street Suite 3300 Minneapolis, MN 55402</b>	6. Total number of applications/patents involved: <b>9</b>  7. Total fee (37 CFR §3.41): <b>\$360</b> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to charge Deposit Account.  8. Deposit Account No.: <b>06-1050</b> Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.
DO NOT USE THIS SPACE	
9. Statement and Signature: <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i>  J. Patrick Finn III, Ph.D. Reg. No. 44,109 Name of Person Signing   Signature  <u>December 20, 2002</u> Date  Total number of pages including coversheet, attachments and document: 4	

60117562.doc

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EVI15427416US

Date of Deposit: December 20, 2002

## ASSIGNMENT

In consideration of good and valuable consideration in hand paid, the receipt and sufficiency whereof are hereby acknowledged, and in consideration of the PATENT ASSIGNMENT and LICENCE AGREEMENT between BIOFOCUS DISCOVERY LIMITED and CAMBRIDGE DRUG DISCOVERY HOLDINGS LIMITED and MAYO FOUNDATION FOR MEDICAL EDUCATION AND RESEARCH having the effective date of 1<sup>st</sup> March 2002, the undersigned hereby assign to: Mayo Foundation for Medical Education and Research, a company incorporated in the State of Minnesota, having a principal place of business at 200 First Street S.W., Rochester, Minnesota 55905, its successors and assigns, the entire right, title and interest in the inventions or improvements disclosed in Letters Patents and applications for Letters Patent of the United States, entitled:

<u>Inventors</u>	<u>Patent/Application No.</u>	<u>Filed/Issued</u>
Russell, et al.	6,270,761	August 7, 2001
Title: <b>Improvements in or Relating to Delivery of Nucleic Acids</b>		
Russell, et al.	09/043,665	October 5, 1998
Title: <b>Materials and Methods Relating to the Transfer of Nucleic Acid into Quiescent Cells</b>		
Russell	09/051,393	April 10, 1998
Title: <b>Improvements in or Relating to Protection Against Intracellular Infection</b>		
Russell, et al.	09/070,630	April 30, 1998
Title: <b>Compositions and Methods for Elimination of Unwanted Cells</b>		
Russell, et al.	09/393,960	April 30, 1998
Title: <b>Compositions and Methods for Elimination of Unwanted Cells</b>		
Russell, et al.	60/045,164	April 30, 1997
Title: <b>Compositions and Methods for Elimination of Unwanted Cells</b>		
Russell, et al.	09/196,505	November 20, 1998

**Title: Improvements in or Relating to Regulation of T Cell Activation**

Russell, et al.            60/076,448

March 2, 1998

**Title: Improvements in or Relating to Expression of Immunogenic Substances**

Russell, et al.            60/083,657

April 30, 1998

**Title: Improvements in or Relating to Expression of Immunogenic Substances**

Russell, et al.            09/197,056

November 20, 1998

**Title: Improvements in or Relating to Expression of Immunogenic Substances**

and any and all other applications, both United States and foreign, which the undersigned may file, either solely or jointly with others, on said inventions or improvements, and in any and all Letters Patents of the United States and foreign countries, which may be obtained on any of said applications, and in any reissue or extension of such patents, and further assigns to said assignee the priority right provided by the International Convention.

The undersigned hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patents to said assignee.

The undersigned warrant themselves to be the owners of the entire right, title and interest in said inventions or improvements and to have the right to make this assignment, and further warrant that there are no outstanding prior assignments, licenses, or other encumbrances on the interest herein assigned.

For said considerations the undersigned hereby agree, upon the request and at the expense of said assignee, its successors and assigns, to execute any and all divisional, continuing and substitute applications for said inventions or improvements, and any necessary oath, affidavit or declaration relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said applications and any and all applications and other documents for Letters Patent in foreign countries on said invention or improvements, that said assignee, its successors or assigns may deem necessary or expedient, and for the said considerations the undersigned authorize said assignee to apply for patents for said inventions or improvements in its own name in such countries where such procedure is proper and further agree, upon the



request of said assignees, its successors and assigns, to cooperate to the best of the ability of the undersigned with said assignee, its successors and assigns, in any proceedings or transactions involving such applications or patents, including the preparation and execution of preliminary statements, giving and producing evidence, and performing any and all other acts necessary to obtain, maintain and enforce any of said Letters Patent, both United States and foreign, and vest all rights therein hereby conveyed in the assignees, its successors and assigns, whereby said Letters Patents will be held and enjoyed by the said assignees, its successors and assigns, to the full end of the term for which said Letters Patents will be granted, as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment had not been made.



Officer: FINANCE DIRECTOR

BioFocus Discovery Limited

Address: UNIT 10, CAMBRIDGE SCIENCE PARK, MILTON ROAD,

City, Country: CAMBRIDGE, UNITED KINGDOM

1<sup>st</sup> March 2002

Date 1/3/2002.



Witness name: MARK CHADWICK

Address: 5, HOLLERLEY AVENUE,

City, Country: HAVERHILL, SUFFOLK,  
UNITED KINGDOM

1<sup>st</sup> March 2002

Date 1/3/2002